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9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA

11 KAREN SUTHERLAND, et al., ) Case No.: 2:21-cv-01855-WBS-AC  
12 Plaintiffs, )  
vs. ) **STIPULATION AND ORDER  
ALLOWING PLAINTIFFS TO FILE A  
SECOND AMENDED COMPLAINT**  
13 CITY OF STOCKTON, et al. )  
14 Defendants. ) [No hearing required]  
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This Stipulation is respectfully submitted by all named parties: Plaintiffs Karen Sutherland, mother of the Decedent, and Erica Rae Belatti, as Guardian Ad Litem for the minors S.A.S., Jr. and D.J.S. (as both children of, and successors in interest to, the Decedent), on the one hand; and Defendants City of Stockton (the “City”), former City of Stockton Chief of Police Eric Jones, Officer Ronald Zalunardo, and Officer John Afanasiev, on the other hand, all through their undersigned counsel of record.

## RECITALS

- A. On October 4, 2021, Plaintiffs filed this lawsuit.
  - B. On March 8, 2022, Plaintiffs filed their First Amended Complaint (“FAC”), following a meet and confer by the parties regarding Defendants’ intended motion to dismiss portions of the Complaint.
  - C. On April 5, 2022, the parties met and conferred again, regarding remaining issues with the FAC, in a further effort to avoid Defendants filing a motion to dismiss.
  - D. As a result of that meet and confer, the parties have agreed (i) Plaintiffs will file a Second Amended Complaint (“SAC”) to address the issues raised in the parties’ meet and confer conference on or before April 15, 2022, (ii) with the Court’s permission, Defendants are excused from responding to the FAC, and (iii) Defendants will have 28 days from the date the SAC is filed to move, plead, or otherwise respond to Plaintiffs’ SAC.

## STIPULATION

IT IS STIPULATED AND AGREED, by the parties, through their counsel of record, as follows:

1. Plaintiffs will file their SAC on or before April 15, 2022.
  2. Defendants are excused from responding to the FAC.
  3. Defendants will have 28 days from the date the SAC is filed to move, plead, or otherwise respond to the SAC.

Respectfully Submitted,

Dated: April 6, 2022

**HERUM\CRABTREE\SUNTAG**  
*A California Professional Corporation*

By: /s/ Joshua J. Stevens  
JOSHUA J. STEVENS  
Attorneys for all Defendants

1 Dated April 7, 2022

V. JAMES DESIMONE LAW

2 By: /s/ V. James DeSimone

3 V. JAMES DESIMONE  
Attorney for all Plaintiffs

4 **O R D E R**

5 **IT IS SO ORDERED.**

6 1. Plaintiffs shall be allowed to file a Second Amended Complaint, and shall file  
7 their Second Amended Complaint on or before April 15, 2022.

8 2. Defendants are excused from responding to the First Amended Complaint.

9 3. Defendants shall have 28 days from the date the Second Amended Complaint is  
10 filed to move, plead, or otherwise respond to the Second Amended Complaint.

11 Dated: April 11, 2022



12 WILLIAM B. SHUBB  
13 UNITED STATES DISTRICT JUDGE

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